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7 BEFORE THE WASHINGTON STATE  
8 OFFICE OF THE INSURANCE COMMISSIONER

9 In the Matter of the Application regarding the  
10 Conversion and Acquisition of Control of  
11 Premera Blue Cross and its Affiliates,

No. G02-45

12 Washington Citizen Action, Welfare Rights  
13 Organizing Coalition, American Lung  
14 Association of Washington, Northwest  
15 Federation of Community Organizations,  
16 Northwest Health Law Advocates, Service  
17 Employees International Union Washington  
18 State Council, The Children's Alliance,  
19 Washington Academy of Family Physicians,  
20 Washington Association of Churches,  
21 Washington Protection and Advocacy System  
22 and Washington State NOW,

DECLARATION OF ELEANOR  
HAMBURGER

Applicants for Intervention.

19 I, Eleanor Hamburger, declare:

20 1. I am co-counsel for the Welfare Rights Organizing Coalition (WROC), one of the  
21 Applicant-Intervenors.  
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DECLARATION OF ELEANOR  
HAMBURGER - 1

Columbia Legal Services  
101 Yesler Way, Suite 300  
Seattle, WA 98104  
(206) 464-5933

1           2.       The Premera Watch Coalition has raised sufficient funds to obtain a health impact  
2 study of the proposed Premera conversion. The Coalition intends to hire the Health Policy  
3 Analysis Program (HPAP) at the University of Washington to conduct an independent, objective  
4 evaluation of the health impact of the proposed conversion, including a study of the potential  
5 effects of the proposal on access, availability and affordability of health insurance and health  
6 care, its potential impact on health care markets and on the health system as a whole. The  
7 Coalition and HPAP will coordinate with the OIC experts and the experts retained by other  
8 Applicant-Intervenors to ensure that the HPAP study will enhance and not duplicate other  
9 evaluations.

10           3.       The Premera Watch Coalition has developed a “Statement of Principles” to which  
11 all members of the Coalition have agreed. Attached as Exhibit 1 is a true and correct copy of the  
12 Statement of Principles.

13           4.       As part of our research on conversion transactions in other states, the Coalition  
14 obtained a copy of the Attorney General of New Mexico’s Reply on the Motions for Intervention  
15 in the Matter of the Acquisition of Control of New Mexico Blue Cross and Blue Shield, Inc.  
16 Docket No. 00-256-IN. Attached as Exhibit 2 is a true and correct copy of the Attorney  
17 General’s brief.

18           5.       On November 6, 2002, the attorneys representing the Premera Watch Coalition,  
19 the Hospital Associations and the Washington State Medical Association sent a letter sent to  
20 John Hamje at the Office of the Insurance Commissioner. Attached as Exhibit 3 is a true and  
21 correct copy of the November 6, 2002 letter.

1           6.       On December 10, 2002, John Midgley of Columbia Legal Services sent a letter to  
2 John Hamje at the Office of the Insurance Commissioner, on behalf of all of the attorneys  
3 representing the Applicant-Intervenors, except for the representative of the University of Alaska  
4 who had not yet been contacted by the other Applicant-Intervenors. Attached as Exhibit 4 is a  
5 true and correct copy of the December 10, 2002 letter.

6           7.       As part of the Coalition's research on past conversion transactions, it obtained a  
7 copy of Anne Lowery Bailey's article, "Charities Win, Lose in Health Care Shuffle." Attached  
8 as Exhibit 5 is a true and correct copy of the article.

9           8.       As part of the Coalition's research on Premera's past corporate restructuring, the  
10 Coalition obtained a copy of Premera's February 17, 2000 letter to Senator Pat Thibideau.  
11 Attached as Exhibit 6 is a true and correct copy of the February 17, 2000 letter.

12           9.       In the middle of August, I was provided with an electronic copy of the final  
13 version of the Office of the Insurance Commissioner's Request for Proposals (RFP) for expert  
14 consultants in the review of the proposed Premera conversion. In response to the RFP, I worked  
15 with Claudia Sanders of the Washington State Hospital Association to put together a list of  
16 questions from the Applicant-Intervenors, the Washington State Hospital Association and the  
17 Washington State Medical Association to submit to both the Office of the Insurance  
18 Commissioner and the Attorney General's Office. Attached as Exhibit 7 is a true and correct  
19 copy of the final letter and attachment sent by Claudia Sanders on behalf of the groups.

20           10.      Several weeks later, Claudia Sanders received a response from James Odiorne of  
21 the Office of the Insurance Commissioner dated September 6, 2002, which she forwarded to me.  
22 Attached as Exhibit 8 is a true and correct copy of the letter.  
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1           11. Ms. Sanders also received a response from Robert Fallis of the Office of the  
2 Attorney General dated September 10, 2002, which she again forwarded to me. Attached as  
3 Exhibit 9 is a true and correct copy of the letter.

4           I certify and declare under penalty of perjury under the laws of the State of Washington  
5 that the foregoing is true and correct.

6           DATED this 20<sup>th</sup> day of December, 2002 in Seattle, Washington.

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ELEANOR HAMBURGER, WSBA No. 26478  
11 Of Attorneys for Applicant-Intervenor Welfare Rights  
Organizing Coalition  
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